

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)

159C-MD-GFILED
30 JUN 25 AM 10:07

In re:

GREGORY B. MYERS,

Case No. 15-26033-MCR
(Chapter 7)

Debtor.

BRIAN KING, *et al.*,

Plaintiffs,

v.

Adv. No. 24-00007

ROGER SCHLOSSBERG, Trustee,

Defendant.

MOTION TO DISQUALIFY JUDGE MARIA ELENA CHAVEZ-RUARK

Gregory B. Myers ("Mr. Myers"), pursuant to 28 U.S.C. § 455(a) and 28 U.S.C. § 455(b)(5)(iii), moves for Judge Maria Elena Chavez-Ruark ("Judge Ruark") to disqualify herself from further participation in these proceedings due to the filing of the COMPLAINT AND DEMAND FOR TRIAL BY JURY on June 30, 2025, a copy of which is attached hereto as Exhibit A.

When the impartiality of a judge is in doubt, the appropriate remedy is to disqualify that judge from hearing further proceedings in the matter. In *Caperton v. A. T. Massey Coal Co.*, 1129 S. Ct. 2252 (2009), a case concerning disqualification of a state supreme court justice, the U.S. Supreme Court reaffirmed that litigants have a due process right to an impartial judge and that, under circumstances in which judicial bias was probable, due process required disqualification.

The court noted, however, that disqualification rules may be and often are more rigorous than the Due Process Clause requires. So it is with disqualification requirements for federal judges, which require disqualification when a judge's impartiality "might reasonably be questioned." 28 U.S.C. § 455(a).

WHEREFORE, Mr. Myers requests that Judge Ruark enter an Order immediately disqualifying herself from any further participation in these proceedings.

RESPECTFULLY SUBMITTED on this 30th day of June, 2025.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 30, 2025, a copy of the foregoing was furnished to the following parties:

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